

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

THE STATE OF TEXAS,

Defendant.

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Case No. 1:21-cv-00796-RP

**MOTION TO WITHDRAW
TEXAS'S MOTION TO CONDUCT EXPEDITED DISCOVERY**

The parties met and conferred concerning discovery on Friday, September 18, 2021. Following the meet and confer on September 18, 2021, the United States agreed to produce the documents relied upon or referenced by their declarants but opposed any depositions of their seven declarants. Based on that opposition, the State of Texas filed its *Motion to Conduct Expedited Discovery* on Monday, September 20, 2021. ECF 20. The Court set a hearing on the motion for Wednesday, September 22, 2021, at 3:00 p.m., and required the United States to file a response to State's motion by 12:00 CST on September 22, 2021.

After receiving the United States's response, counsel for the State of Texas again reached out to confirm the United States's position on depositions, and after fruitful exchanges, the parties were able to reach an agreement to conduct depositions in advance of next week's hearing. Because the parties have reached an agreement on conducting depositions in advance of next week's hearing, the State of Texas respectfully moves to withdraw the *Motion to Conduct Expedited Discovery*.

CONCLUSION

Based on the foregoing, the Court should grant the relief requested herein.

Date: September 24, 2021

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

PATRICK K. SWEETEN
Deputy Attorney General for Special Litigation

BRENT WEBSTER
First Assistant Attorney General

WILLIAM T. THOMPSON
Deputy Chief, Special Litigation Unit
Tex. State Bar No. 24088531

BETH KLUSMANN
Assistant Solicitor General
Tex. State Bar No. 24036918

NATALIE D. THOMPSON
Assistant Solicitor General
Tex. State Bar No. 24088529

ERIC A. HUDSON
Senior Special Counsel
Tex. State Bar No. 24059907

/s/ Leif A. Olson
LEIF A. OLSON
Special Counsel
Tex. State Bar No. 24032801

OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548 (MC-009)
Austin, Texas 78711-2548
Tel.: (512) 463-2100
Fax: (512) 457-4410
will.thompson@oag.texas.gov
beth.klusman@oag.texas.gov
natalie.thompson@oag.texas.gov
eric.hudson@oag.texas.gov
leif.olson@oag.texas.gov

COUNSEL FOR DEFENDANT

CERTIFICATE OF CONFERENCE

I certify that on Wednesday, September 22, 2021, counsel for the State of Texas conferred via electronic mail with counsel for the plaintiff. Counsel for the plaintiff indicated that they do not oppose the relief requested through this motion.

/s/ Leif A. Olson

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on September 24, 2021, and that all counsel of record were served by CM/ECF.

/s/ Leif A. Olson

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**ORDER PERMITTING WITHDRAW OF TEXAS'S MOTION TO CONDUCT
EXPEDITED DISCOVERY**

Upon consideration of Texas's *Motion to Withdraw Texas's Motion to Conduct Expedited Discovery*, and the representations made in support thereof, the Court finds as follows:

Good cause exists to permit Texas's request to withdraw its motion, and therefore, it is ORDERED, ADJUDGED, and DECREED, that Texas's motion is GRANTED.

Signed on September ____, 2021, at Austin, Texas.

Robert Pitman
United States District Judge